

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- August 16, 1967

Appeal No. 9329 Norman Bernstein et al, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on February 14, 1968.

EFFECTIVE DATE OF ORDER - *May 9, 1968*

ORDERED:

That the appeal for permission to establish a parking lot for 5 years at 1017-23 - 10th Street, NW., 941-951 Massachusetts Avenue, 922-950 L Street, NW., lots 810 through 816, 819 through 829, 840, 841 and 23, square 370, be conditionally granted.

FINDINGS OF FACT:

[1] The subject property is located in an SP District.

[2] The lot has frontages on L Street, Massachusetts Avenue and 10th Street, NW. The lot has an irregular shape and contains 31,092 square feet.

[3] It is proposed to establish a commercial parking lot containing 157 off-street parking spaces.

[4] The proposed parking lot will have multiple entrances and exits to the proposed parking lot. The two driveways on L Street will serve both in-and-out traffic; the single driveway on 10th Street will serve in-traffic only; and the single driveway on Massachusetts Avenue, NW. will be marked to direct the outbound traffic for a right-turn only to provide no left turns into the parking lot for east bound traffic on Massachusetts Avenue.

[5] The Department of Highways and Traffic offers no objection to the granting of this appeal making the following comments:

"The operation of this proposed parking lot with ingress and egress on three streets as shown on the attached drawing should create no traffic problems on these streets, but should help relieve the parking problem in this congested area."

[6] There was some objection to the proposed parking lot registered at the public hearing.

[7] By letter dated February 13, 1968 appellant presented a revised plan for improvement of this parking lot. The Board accepted the wall extending around the corner at Massachusetts Avenue and 10th street.

OPINION:

We are of the opinion that the establishment of this parking lot will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity. However, the certificate of occupancy shall not issue until the conditions hereafter set forth in this Order are complied with.

This Order shall be subject to the following conditions:

- (a) The subject lot shall be improved as shown on plan submitted to the Board on August 24, 1967 and marked BZA Exhibit No. 15a and as revised by BZA Exhibit No. 18b.
- (b) Appellant shall erect a forty-two (42) inch brick wall along the Massachusetts Avenue frontage and around the corner at 10th and Massachusetts Avenue.
- (c) All signs used on the parking lot shall not exceed 4 x 3 feet and shall be posted only on the walls of the lot. There shall be no moving lights.
- (d) Permit shall issue for a period of five (5) years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (e) All areas devoted to driveways, access lanes and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- (f) Bumper stops shall be prected and maintained for the protection of all adjoining buildings.

- (g) No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- (h) All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- (i) No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.
- (j) Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: James E. Bess
JAMES E. BESS
Secretary of the Board